

REMARKS

Reconsideration of the present application is respectfully requested.

Prior to the amendment, Claims 1-5 were pending in the application. The Examiner has objected to the specification, due to minor informalities. In response, Applicant has amended pg. 11, ln. 18, pg. 12, ln. 13, and pg. 13, lns. 7 and 14 in the Specification, by deleting "DAMP" and inserting --DMAP-- therefor. Accordingly, it is believed that the objection to the Specification has been overcome. Withdrawal of the same is respectfully requested.

Please cancel Claims 2, 3 and 4.

The Examiner has rejected Claim 1 under 35 U.S.C. §102(b) as being anticipated by *Chen et al.* (US 2003/0005382 A1) (hereinafter *Chen*). In response, Applicant has amended Claim 1 to include the language originally contained in Claims 2, 3 and 4, now cancelled, and to further recite that the transmission data is made by allocating the required retransmission data block at the location where the retransmission data block of the transmission data block will be included. First, Applicant respectfully asserts that Claim 1 discloses that a core network transmits a message indicating whether the data has successfully been received from a plurality of mobile stations. Hence, it is difficult to understand how Claim 1 could be anticipated by *Chen*, which discloses a feedback for a data frame retransmission from a wireless communication device to a base station. Furthermore, *Chen* does not disclose that the core network transmits data by dividing the data into a header block, a retransmission block and data block, and a mobile station receives the retransmission data block of the data or skips a receiving operation for the retransmission data block, all of which is now claimed in the amended Claim 1. Accordingly, it is believed that the §102(b) rejection of Claim 1 has now been obviated. Withdrawal of the same is respectfully requested.

The Examiner has rejected Claims 2-4 under 35 U.S.C. §103(a) as being unpatentable over *Chen* in view of *Choi* (U.S. Pub. No. 0203/0023915). Applicants respectfully traverse. As

mentioned above, the language of Claims 2-4, now cancelled, has been inserted into Claim 1. Furthermore, according to paragraphs 18-20 of *Choi*, which discloses a forward error correction in a packet-based communication system, the transmitted packet includes indications of a MAC header field, sequence number, and a packet number that is used in a retransmission request and retransmission request process. That is, *Choi* discloses using a data block number for a retransmission request and the process of the retransmission request, but does not disclose that the data is divided into a header block, retransmission data block, transmission data block, as previously claimed in Claims 2-4, and now claimed in Claim 1. Further, *Choi* does not disclose a downlink handshaking from a core network to a plurality of mobile stations, i.e., reporting whether the mobile station successfully receives the data to a bit map data and broadcasting transmission data made by allocating the retransmission data block at the location where the retransmission data block of the transmission data block will be included, to a plurality of mobile terminals. Accordingly, it is believed that the Examiner's rejection of Claims 2-4 under 35 U.S.C. §103(a) has been overcome. Withdrawal of the same is respectfully requested.

The Examiner has rejected Claim 5 under 35 U.S.C. §103(a) as being unpatentable over *Chen* in view of *Torsener*. In view of at least the arguments above, it is believed that the §103(a) rejection of Claim 5 has been overcome. Withdrawal of the same is respectfully requested.

Independent Claim 1 is believed to be in condition for allowance. Without conceding the patentability per se of dependent Claim 5, this claim is likewise believed to be allowable by virtue of its dependence on amended independent Claim 1. Accordingly, reconsideration and withdrawal of the rejection of dependent Claim 5 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1 and 5, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

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